



**AGENDA**  
**HAYWARD PLANNING COMMISSION**  
**777 B STREET, HAYWARD, CA 94541-5007**  
**THURSDAY, November 18, 2004**  
**(510) 583-4205 / [www.hayward-ca.gov](http://www.hayward-ca.gov)**  
**LIVE BROADCAST – LOCAL CABLE CHANNEL 15**

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**MEMBERS OF THE AUDIENCE WISHING TO ADDRESS THE PLANNING COMMISSION:**

Obtain a speaker's identification card, fill in the requested information, and give the card to the Commission Secretary. The Secretary will give the card to the Commission Chair who will call on you when the item in which you are interested is being considered. When your name is called, walk to the rostrum, state your name and address for the record and proceed with your comments. Copies of reports are available from the Commission Secretary.

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**AGENDA**

**7:30 P.M. COUNCIL CHAMBERS REGULAR MEETING**  
**ROLL CALL**

**SALUTE TO FLAG**

**PUBLIC COMMENT – NON AGENDA ITEMS** *(The PUBLIC COMMENTS section provides an opportunity to address the Planning Commission on items not listed on the agenda. The Commission welcomes your comments and requests that speakers present their remarks in a respectful manner, within established time limits, and focus on issues which directly affect the City or are within the jurisdiction of the City. As the Commission is prohibited by State law from discussing items not listed on the agenda, your item will be taken under consideration and may be referred to staff).*

**PUBLIC HEARING** - The decision of the Planning Commission on agenda item 1 is final unless appealed. For items 2 and 3, the Planning Commission may either recommend approval to the City Council or deny the applications. If denied, the denial action is appealable. The appeal period is 10 days from the date of the decision. If appealed, a public hearing will be scheduled before the City Council for final decision.

1. **Conveyance of Surplus Real Property Parcel No. 122 – at Orchard Avenue and Whitman Street - to the Adjoining Property Owner (To be continued to December 2, 2004 meeting)**
2. **Use Permit No. PL-2003-0701 – Lewis Larimer (Applicant/Owner) – Request for Outdoor Storage of Welding Contractor's Equipment and Product – The Project is Located at 3322 Baumberg Avenue (Continued from October 7, 2004 meeting)**
3. **Text Amendment Application No. PL-2004-0600 - Initiated by the Planning Director – Request for Amendments to the Zoning Ordinance Relative to Definition, Conditionally Permitted Use, and Minimum Design and Performance Standards for Theaters and to the Off-Street Parking Regulations for Theaters**



Assistance will be provided to persons requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Persons needing accommodation should contact Debbie Nelson 48 hours in advance of the meeting at (510) 583-4205, or by using the TDD line for those with speech and hearing disabilities at (510) 247-3340.

4. **Text Amendment Application No. PL-2004-0337 – Paige Bennett (Applicant) – Request to Amend the Fence Height Regulations Within the Zoning Ordinance to Allow an 8-Foot High Fence Where the Ordinance Limits the Fence Height to 6 Feet**

#### ADDITIONAL MATTERS

5. Oral Report on Planning and Zoning Matters
6. Commissioners' Announcements, Referrals

#### APPROVAL OF MINUTES

– November 4 2004

#### ADJOURNMENT

**PLEASE TAKE NOTICE** that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the City's public hearing or presented in writing to the City Clerk at or before the public hearing. **PLEASE TAKE FURTHER NOTICE** that the City Council has adopted Resolution No. 87-181 C.S., which imposes the 90 day deadline set forth in Code of Civil Procedure section 1094.6 for filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure section 1094.5.